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10/522,480	01/26/2005	Jari Vallstrom	KOLS.172US	3828

7590 11/28/2007  
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EXAMINER
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PATEL, NIMESH

ART UNIT	PAPER NUMBER
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2617

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11/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/522,480

**Applicant(s)**

VALLSTROM ET AL.

**Examiner**

Nimesh Patel

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Detailed Office Action***

1. Applicant's arguments filed on Oct. 5, 2007 have been fully considered but they are not persuasive.

Applicants argument,

"Chihara does not teach a control unit of a cellular core unit configured to indicate an incoming connection request in a peripheral unit when an LPRF connection between a cellular core unit and the peripheral unit becomes available", on page 8, lines 16 - 18.

The examiner respectfully disagrees,

"Chihara discloses, with the arrival of an incoming call at the mobile phone 11, the incoming call arrival announcing signal including the telephone number of the calling party is sent to the wrist watch-type information apparatus 12 (Fig. 1, and column 10, lines 9 – 13).

Chihara further discloses, the blue tooth link is established between the headset, wrist watch-type information apparatus and the mobile telephone device. The mobile telephone device receives an incoming call at step s4, and the headset receives announce incoming call arrival at step s8. This clearly teaches, Chihara teaches, that the mobile telephone is configured to indicate an incoming call in a peripheral unit when an LFRF connection is available, and it is NOT announced on the mobile telephone (Fig. 12A, paragraphs 0106, 0107)".

Art Unit: 2617

Applicants argument,

"applicant fails to recognize where Chihara teaches that a control unit of a cellular core unit is configured to indicate an incoming connection request in a peripheral unit but not in the cellular core unit when an LPRF connection is available", on page 9, lines 20 – 22.

The examiner respectfully disagrees,

"Chihara discloses, with the arrival of an incoming call at the mobile phone 11, the incoming call arrival announcing signal including the telephone number of the calling party is sent to the wrist watch-type information apparatus 12 (Fig. 1, and column 10, lines 9 – 13).

Chihara further discloses, the blue tooth link is established between the headset, wrist watch-type information apparatus and the mobile telephone device. The mobile telephone device receives an incoming call at step s4, and the headset receives announce incoming call arrival at step s8. This clearly teaches, Chihara teaches, that the mobile telephone is configured to indicate an incoming call in a peripheral unit when an LFRF connection is available, and it is NOT announced on the mobile telephone. Here, at step s8 shows that the announce incoming call arrival is performed on the headset, and is it NOT performed on the mobile telephone (Fig. 12A, paragraphs 0106, 0107)".

Art Unit: 2617

**Chihare SUGGESTS in the background, that the mobile telephone device having a display unit, the person has to place the mobile at a distance from his head to see the image and the user is required to speak loudly.**

**Here, Chihara inherently teaches, the need to blue tooth kind of peripheral devices that can be used for easy use and the user can view image while talking through head sets. This clearly teaches that without the blue tooth link, all the speaker, microphone and display is on the mobile telephone and the incoming call is performed on the mobile telephone itself (paragraphs 0003, 0004).**

**Just to make it clear, the Canon reference is used to clearly show the notification to the user once the user is within the range.**

### ***Objection to Specification***

2. The objection to an Abstract is removed.

### ***Claims Rejection – 35 U.S.C 103(a)***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject

matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 5, 7 – 14, 16 - 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chihara US PGPub: US 2002/0068600 A1, Jun. 6, 2002, and in view of

Cannon US PGPub: US 2002/0137552 A1, Sep. 26, 2002.

**Regarding claim 1**, which claims, "a control unit for controlling the functions of the cellular core unit, the control unit being configured to communicate with a cellular network using a cellular connection, and to receive an incoming

connection request from the cellular network”, Chihara discloses, the mobile phone 11 transmits the voice received from the other party to a headset 13 having a voice input/output unit by local radio communication, and transmits an image received from the other party to a wearable radio communication device 12B (ABSTRACT, Figs. 1, 3, 8, column 1, line 34 through column 2, line 16).

Further claimed feature, “one or more peripheral units being configured to communicate with the cellular core unit using a wireless low power radio frequency (LPRF) connection”, Chihara discloses, the blue tooth communication between the mobile phone 11B, headset 13 and wearable device 13B (Figs. 7 and 8).

Further claimed feature, “indicate the incoming connection request in one or more peripheral units **but not in the cellular core unit**, when the LPRF connection between the cellular core unit and a peripheral unit is available”, Chihara discloses, with the arrival of an incoming call at the mobile phone 11, the incoming call arrival announcing signal including the telephone number of the calling party is sent to the wrist watch-type information apparatus 12 (Fig. 1, and column 10, lines 9 – 13). Chihara further discloses, the mobile phone 11B is being placed in the bag, and the user wears the wrist watch-type information apparatus 12B and the headset 13, and the incoming connection request is on the peripheral unit (Figs. 7 and 8),

but is silent on,

"indicate the incoming connection request in the cellular core unit, when the LPRF connection between the cellular core unit and the peripheral unit is not available", and

"indicate the incoming connection request in the peripheral unit, when the LPRF connection between the cellular core unit and the peripheral unit becomes available".

Cannon teaches, an indication unit system 100 that senses the user has returned to the vicinity of the portable wireless device 120, message storage unit 145 for storing new message while the user is not available through short range link, and message indicator 135, Bluetooth transceiver 140, controller 125, notifies the user device indicating newly stored message through the predetermined user indication, which could be an audible signal, a vibration, flashing lights or other indication which a user will notice, before the user actually notices the normal message waiting indicator like flashing envelope (ABSTRACT, Figs. 1 – 5, paragraphs, 0005, 0007 through 0009, 0018, 0022, 0023, 0033, 0034). The portable wireless may be a wireless telephone unit, a personal digital assistant - PDA, a short message service – SMS device, a pager or any other portable wireless device capable of storing a message.



Art Unit: 2617

Cannon teaches, the controller 125 begins to monitor message storage unit 145 for a newly received message, in the case of the communication link 310 is broken (paragraph 0022), and once the user is within the range, the controller 125 sends a control signal of the received message waiting indicator 135 to notify the user of the pending message (paragraph 0023).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify mobile video telephone system, of Chihara, wherein, the mobile telephone device 11B (Fig. 8/11B), would have incorporated the indication unit for portable wireless device (Cannon, Fig. 1), that senses the user has returned to the vicinity of the portable wireless device, notifies the user device indicating newly stored message through the predetermined user indication, which could be an audible signal, a vibration, flashing lights or other indication which a user will notice (Cannon, paragraphs, 0005 through 0009).

**Regarding claim 2,** Chihara discloses all the claimed features,

but, is silent on, "the control unit of the cellular core unit is configured to transfer the indication of the incoming connection request to the peripheral unit, when during the indication of the incoming connection request in the cellular core unit the LPRF connection between the cellular core unit and the peripheral unit becomes available".

Cannon teaches, the controller 125 begins to monitor message storage unit 145 for a newly received message, in the case of the communication link 310 is broken (paragraph 0022), and once the user is within the range, the controller 125 sends a control signal of the received message waiting indicator 135 to notify the user of the pending message (paragraph 0023), as in claim 1 above.

**Regarding claim 3,** Chihara discloses all the claimed features,

but, is silent on, “the control unit of the cellular core unit is configured to check the incoming connection indication settings of the peripheral unit with which the cellular core unit has last been in LPRF connection and to indicate about the incoming connection request in the cellular core unit according to the checked incoming connection indication settings of the peripheral unit”.

Cannon teaches, the controller 125 begins to monitor message storage unit 145 for a newly received message, in the case of the communication link 310 is broken (paragraph 0022), and once the user is within the range, the controller 125 sends a control signal of the received message waiting indicator 135 to notify the user of the pending message (paragraph 0023), as in claim 1 above.

Art Unit: 2617

Here, the controller knows, that the user is not in the vicinity as once the communication link 310 is broken, that it the claimed last been in LPRF connection.

**Regarding claim 4,** Chihara discloses all the claimed features,

but, is silent on, “the control unit of the cellular core unit is configured to indicate about the incoming connection request on the cellular core unit by signaling [SIC] with a sound, a light or a vibration”.

Cannon teaches, an indication unit system 100 that senses the user has returned to the vicinity of the portable wireless device 120, message storage unit 145 for storing new message while the user is not available through short range link, and message indicator 135, Bluetooth transceiver 140, controller 125, notifies the user device indicating newly stored message through the predetermined user indication, which could be an audible signal, a vibration, flashing lights or other indication which a user will notice, before the user actually notices the normal message waiting indicator like flashing envelope (ABSTRACT, Figs. 1 – 5, paragraphs, 0005, 0007 through 0009, 0018, 0022, 0023, 0033, 0034), as in claim 1 above.

**Regarding claim 5**, Chihara discloses all the claimed features,

but, is silent on , “the control unit of the cellular core unit is configured to indicate the incoming connection request on the cellular core unit, when during the indication concerning the incoming connection request to the peripheral unit the LPRF connection between the cellular core unit and the peripheral unit is lost”.

Cannon teaches, the controller 125 begins to monitor message storage unit 145 for a newly received message, in the case of the communication link 310 is broken (paragraph 0022), and once the user is within the range, the controller 125 sends a control signal of the received message waiting indicator 135 to notify the user of the pending message (paragraph 0023), as in claim 1 above.

**Regarding claim 7**, which claims, “a headset connected to the peripheral unit or to the cellular core unit and the control unit is further configured to indicate in the peripheral unit if audios of the incoming connection are to be routed to the headset”, Chihara discloses, the mobile phone 11 transmits the voice received from the other party to a headset 13 having a voice input/output unit by local radio communication, and transmits an image received from the other party to a wearable radio communication device 12B (ABSTRACT, Figs. 1, 3, 8, column 1, line 34 through column 2, line 16), as in claim 1 above.

**Regarding claim 8**, which claims, “a headset connected to the cellular core unit, the peripheral unit is configured to accept the incoming connection and the control unit is configured to indicate in the peripheral unit when the audios of the incoming connection are routed to the headset connected to the cellular core unit”, Chihara discloses, with the arrival of an incoming call at the mobile phone 11, the incoming call arrival announcing signal including the telephone number of the calling party is sent to the wrist watch-type information apparatus 12 (Fig. 1, and column 10, lines 9 – 13), as in claim 1 above.

**Regarding claim 9**, which claims, “a Bluetooth or a WLAN connection”, Chihara discloses, , the blue tooth communication between the mobile phone 11B, headset 13 and wearable device 13B (Figs. 7 and 8), as in claim 1 above.

**Regarding claim 10**, which claims, “receiving an incoming connection request from the cellular network by the cellular core unit”, Chihara discloses, the mobile phone 11 transmits the voice received from the other party to a headset 13 having a voice input/output unit by local radio communication, and transmits an image received from the other party to a wearable radio communication device 12B (ABSTRACT, Figs. 1, 3, 8, column 1, line 34 through column 2, line 16), as in claim 1 above. Here, the incoming connection request is received by the mobile telephone 11.

Art Unit: 2617

Further claimed feature, "one or more peripheral units being configured to communicate with the cellular core unit using a wireless low power radio frequency (LPRF) connection", Chihara discloses, the blue tooth communication between the mobile phone 11B, headset 13 and wearable device 13B (Figs. 7 and 8).

Further claimed feature, "indicating the incoming connection request in one or more peripheral units **but not in the cellular core unit**, when the LPRF connection between the cellular core unit and a peripheral unit is available", Chihara discloses, with the arrival of an incoming call at the mobile phone 11, the incoming call arrival announcing signal including the telephone number of the calling party is sent to the wrist watch-type information apparatus 12 (Fig. 1, and column 10, lines 9 – 13). Chihara further discloses, the mobile phone 11B is being placed in the bag, and the user wears the wrist watch-type information apparatus 12B and the headset 13, and the incoming connection request is on the peripheral unit (Figs. 7 and 8),

but is silent on,

"indicating the incoming connection request in the cellular core unit, when the LPRF connection between the cellular core unit and the peripheral unit is not available", and

“indicating the incoming connection request in the peripheral unit, when the LPRF connection between the cellular core unit and the peripheral unit becomes available”.

Cannon teaches, an indication unit system 100 that senses the user has returned to the vicinity of the portable wireless device 120, message storage unit 145 for storing new message while the user is not available through short range link, and message indicator 135, Bluetooth transceiver 140, controller 125, notifies the user device indicating newly stored message through the predetermined user indication, which could be an audible signal, a vibration, flashing lights or other indication which a user will notice, before the user actually notices the normal message waiting indicator like flashing envelope (ABSTRACT, Figs. 1 – 5, paragraphs, 0005, 0007 through 0009, 0018, 0022, 0023, 0033, 0034). The portable wireless may be a wireless telephone unit, a personal digital assistant - PDA, a short message service – SMS device, a pager or any other portable wireless device capable of storing a message.

Cannon teaches, the controller 125 begins to monitor message storage unit 145 for a newly received message, in the case of the communication link 310 is broken (paragraph 0022), and once the user is within the range, the controller 125 sends a control signal of the received message waiting indicator 135 to notify the user of the pending message (paragraph 0023).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify mobile video telephone system, of Chihara, wherein, the mobile telephone device 11B (Fig. 8/11B), would have incorporated the indication unit for portable wireless device (Cannon, Fig. 1), that senses the user has returned to the vicinity of the portable wireless device, notifies the user device indicating newly stored message through the predetermined user indication, which could be an audible signal, a vibration, flashing lights or other indication which a user will notice (Cannon, paragraphs, 0005 through 0009).

**Regarding claim 11,** it is essentially similar to claim 2 above.

**Regarding claim 12,** it is essentially similar to claim 3 above.

**Regarding claim 13,** it is essentially similar to claim 4 above.

**Regarding claim 14,** it is essentially similar to claim 5 above.

**Regarding claim 16,** it is essentially similar to claim 7 above.

**Regarding claim 17,** it is essentially similar to claim 8 above.

**Regarding claim 18,** it is essentially similar to claim 9 above.



Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chihara US PGPub: US 2002/0068600 A1, Jun. 6, 2002, and in view of Cannon US PGPub: US 2002/0137552 A1, Sep. 26, 2002, and further in view of Bonta US PGPub: US 2003/0224808 A1 Dec. 2, 2003.

**Regarding claim 6**, which claims, “to establish an incoming connection to the peripheral unit in which the incoming connection request has been accepted”, Chihara discloses, with the arrival of an incoming call, the operating switches SW1 to SW4 of the operating switch unit 46 of the wrist watch-type information device apparatus 12 are operated to input an incoming call response instruction. Then, the wrist watch-type information apparatus 12 transfers the instruction to the mobile telephone device 11. The mobile telephone device 11 in response to this incoming call response instruction, perform the processing for response to incoming call (column 10, lines 26 – 40),

but, is silent on,

“receiving a connection request from another peripheral unit **other** than the peripheral unit to which the incoming connection has been established”,

“indicate in the other peripheral unit about transferring the connection to the other peripheral unit”, and

“transfer the established incoming connection to the peripheral unit that has requested the connection”.

Bonta teaches, the incoming call answered by the master is transferred to the new master. The request to be the new master is received – S38, designating the new master – s40, transferring call functions to the new master – s42. The primary network will move the connection between the calling party and CD1 to a connection between the calling party and CD2. The incoming call is transferred to the new master CD2 (Fig. 2, paragraph 0017).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify mobile video telephone system, of Chihara, wherein, the mobile telephone device 11B (Fig. 8/11B), would have incorporated the indication unit for portable wireless device (Cannon, Fig. 1), that senses the user has returned to the vicinity of the portable wireless device, notifies the user device indicating newly stored message through the predetermined user indication, which could be an audible signal, a vibration, flashing lights or other indication which a user will notice (Cannon, paragraphs, 0005 through 0009), as in claim 1 above, and further mobile telephone device 11B (Chihara, Fig. 8/11B), would have incorporated transferring call from one peripheral device to another peripheral device (Banta, Fig.2, paragraph 0017), to establish a cooperative ad

Art Unit: 2617

hoc network of cellular devices (or peripheral devices) to form a multiparty connection for sharing conversation and call control (Banta, paragraph 0003).

**Regarding claim 15**, it is essentially similar to claim 6 above.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

#### **Contact Information**

Any inquiry concerning this communication from the examiner should be directed to Nimesh Patel at (571) 270-1228, normally reached on Mon-Thur. 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael, Perez-Gutierrez, can be reached at (571) 272-7915.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Nov. 23, 2007.



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